



**THE CITY OF NEW YORK
LAW DEPARTMENT**

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January 25, 2012

Via ECF and Fax

Honorable Robert M. Levy
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
(718) 613-2345

Re: Thompson v. City of New York, et al
11 Cv. 4759 (NG)(RML)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendant City of New York in the above-referenced matter. By way of background, plaintiff alleges, *inter alia*, that he was falsely arrested in violation of his constitutional rights. In light of the Initial Conference, scheduled on January 30, 2012 before Your Honor, defendant City respectfully submits this letter to inform the Court of its pending request for a promotion conference with Judge Nina Gershon, filed via ECF on December 23, 2011. If Judge Gershon grants defendant City's request and a pre-motion conference is scheduled, defendant City will discuss a briefing schedule for an anticipated motion to dismiss plaintiff's complaint in its entirety. Accordingly, defendant City seeks clarification from Your Honor as to whether the Initial Conference on January 30, 2012 is stayed until defendant City's request to Judge Gershon is resolved.

Respectfully submitted,

/S/

Wesley E. Bauman
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Hon. Nina Gershon (By ECF and regular mail)
Christopher D. Wright, Esq. (By ECF)